

REMARKS

This paper is in response to the Office Action of March 16, 2006, the due date for response extends to June 16, 2006.

The priority claim was updated, as requested by the Examiner.

The claims were amended to address the § 112 rejection. Specifically, the network stack layer interface was amended to "network stack interface." This clarification, in addition to the other clarifying amendments made now make clear how the structure is defined. The Examiner is also referred to the description of Figures 4 and 5, including 10A-13, which clearly define support what is claimed.

Claims 1-20 were rejected under 35 USC § 103(a) as being unpatentable over APA (FIG. 1) and in view of Connery et al. (US 6,426,683). This rejection is respectfully traversed in view of the clarifying amendments. Initially, the Applicants have reviewed what was stated in the background of their invention, including figure 1, and it is submitted that the structural features of independent claim 1 and 18 are not taught nor suggested. The only thing disclosed is the basic OSI reference model and the basic functionality associated therewith. The teachings of Connery et al. were also studied, and the additional teachings could not be combinable with APA to arrive at the now claimed invention. For sake of clarity, the Applicants have also cancelled claims that were duplicative, and concentrated on amending the claims with substantive limitations that further define aspects of embodiments of the invention.

A terminal disclaimer is also attached, which is submitted to overcome the obviousness rejection over the cited patent 6,651,117, which is the parent case to this present application.

A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP166A). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP


Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 774-6903
Facsimile: (408) 749-6901
Customer No. 25920